

#6

**PETITION UNDER 37 CFR 1.55(c) TO ACCEPT AN UNINTENTIONALLY DELAYED
CLAIM FOR PRIORITY UNDER 35 U.S.C. 119(a)**

First Named Inventor: Brian Moore
Application No.: 09/854,905 Group Art Unit: 2858
Filed : May 15, 2001 Examiner: N/A
Title : Wireless Radio Frequency Technique Design and Method For
Testing of Integrated Circuits and Wafers

Docket No. : 11157-23

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OFFICE OF PETITIONS

October 4, 2001

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C 20231

Applicant has unintentionally failed to timely claim priority under 35 U.S.C. 119(a). The deadline to claim priority is the later of four months from the actual filing date of the U.S. application or sixteen months from the filing date of the prior foreign application.

**APPLICANT HEREBY PETITIONS TO ACCEPT A DELAYED CLAIM FOR PRIORITY
UNDER 35 U.S.C. 119(a).**

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) A statement that the entire delay was unintentional.

1. The Petition Fee of \$1280.00 (37 CFR 1.17(t)) is attached.

2. The foreign patent application from which priority is claimed is Canadian Patent Application Serial No. 2,308,820 filed on May 15, 2000, details of which are included in the appended Information Data Sheet.

3. Statement. The entire delay in claiming priority under 35 U.S.C. 119(a) from the due date for claiming priority under 35 U.S.C. 119(a) until the filing of a grantable petition under 37 CFR 1.55(c) was unintentional.

10/19/2001 JHURPHY 40000000 09/854,905

01 FC:141

1280.00 OP

Thurs., Oct. 4, 2001

Date

Telephone

Number: (416) 364-7311



Signature

Stephen M. Beney

Registration No. 41,563

Typed or Printed Name

Bereskin & Parr

40 King Street West

Toronto, Ontario

M5H 3Y2

Address

Enclosures: Information Data Sheet
Fee Transmittal Form
Fee Payment

Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/854,905	
	Filing Date	05/15/2001	
	First Named Inventor	Brian Moore	
	Group Art Unit	2858	
	Examiner Name	N/A	
Total Number of Pages in This Submission	2	Attorney Docket Number	11157-23

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	BERESKIN & PARR
Signature	<i>[Signature]</i>
Date	Oct. 4, 2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>			
Typed or printed name			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

#7

Initial Information Data Sheet**Inventor Information**

Inventor One Given Name:: Brian
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Postal or Zip Code: T6R 1K6
Citizenship Country:: Canada

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Telephone Two:: (416)364-7311
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Application Information

Title Line One:: Wireless Radio Frequency Technique
Title Line Two:: Design And Method For Testing
Title Line Three:: Of Integrated Circuits And Wafers
Total Drawing Sheets:: 32
Formal Drawings?: Yes
Application Type:: Utility
Docket Number:: 11157-23

Representative Information

Representative Customer Number:: 001059

Prior Foreign Applications

Foreign Application One:: 2,308,820
Filing Date:: May 15, 2000
Country:: Canada
Priority Claimed:: Yes

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 1,280.00

Complete if Known

Application Number 09/854,905
Filing Date 05/15/2001
First Named Inventor Brian Moore
Examiner Name N/A
Group Art Unit 2858
Attorney Docket No. 11157-23

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METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 022095
Deposit Account Name Bereskin & Parr

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: \$384
☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES

Total Claims -20** = X = 0
Independent Claims -3** = X = 0
Multiple Dependent =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) Surcharge (37 CFR 1.17(t))			1,280.00

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 1,280.00

SUBMITTED BY

Name (Print/Type) Stephen M. Beney

Signature

Registration No. (Attorney/Agent) 41,563

Complete (if applicable)

Telephone (416) 364-7311

Date Oct. 4, 2001

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